

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

IN RE:

ERIK WAYNE SMITH AND
SHERRY LYNN SMITH AKA
SHERRY LYNN DUNN

CASE NO. 14-33266-JDA
CHAPTER 13
HONORABLE JOEL D. APPLEBAUM

DEBTORS.

CRAIG S. SCHOENHERR, SR. (P32245)
Attorney for Creditor
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AFFIDAVIT OF DEFAULT

STATE OF MICHIGAN)

COUNTY OF MACOMB)

Craig S. Schoenherr, Sr. states as follows:

1. He is the attorney of record for Santander Consumer USA Inc. dba Chrysler Capital ("Creditor") in this matter.
2. The Creditor holds a valid, perfected security interest in a certain 2014 Chevrolet Cruze bearing vehicle identification number 1G1PC5SB7E7459079.
3. On December 17, 2018, an Order for Modification of the Automatic Stay and Co-Debtor Stay and Resolving Motion for Relief from the Automatic Stay and Co-Debtor Stay was entered by this Court, requiring Debtors to maintain payments to the Creditor current.
4. On February 14, 2020, the Creditor gave notice of the default in payments to the Debtors' attorney and the Debtors.

5. The Debtors had 10 days from the date of the notice to bring the payments current with the Creditor.

6. The Debtors failed to bring the payments current within the required time period.

7. The Debtors have failed to comply with the terms of the Order.

8. Upon the failure of the Debtors to comply with the terms of the Order, the Automatic Stay of 11 U.S.C. § 362 and Co-Debtor Stay of 11 U.S.C. § 1301 is terminated as to the interest of Santander Consumer USA Inc. dba Chrysler Capital in the 2014 Chevrolet Cruze bearing Vehicle Identification Number 1G1PC5SB7E7459079.

O'REILLY RANCILIO P.C.

/s/ Craig S. Schoenherr, Sr.

CRAIG S. SCHOENHERR, SR. (P32245)

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